Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 12155 of 2023

Applicant :- Om Prakash Verma
Opposite Party :- State Of U.P Thru. Prin. Secy. Home Civil Secrt. Lko.
Counsel for Applicant :- Ajeet Kumar
Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ajeet Kumar, learned counsel for the applicant as well as Sri Rakesh Kumar Singh, learned Addl. Government Advocate, and perused the record.

2. By means of the instant application the applicant seeks bail in F.I.R. No.731 of 2022, under sections 420,409,504,506, I.P.C., P.S. Kotwali Nagar, District Barabanki.

3. The aforesaid case has been registered on the basis of a First Information Report lodged on 23.07.2022 against 6 named persons, including the applicant, alleging that the informant used to work as an Agent in M/s Lifelong Care Multi State Agro Cooperative Society Ltd. and he had invested some amount of his own and had got huge sums of money invested by other persons aggregating to Rs. 50,78,961/-.

4. In the affidavit filed in support of the bail application it has been stated that the applicant is innocent and he has falsely been implicated in the present case. In para 22 of the affidavit filed in support of the bail application the applicant's involvement in 45 other cases has been shown, all of which relate to the allegations of non-refund of amount invested in the aforesaid company, in 20 of which he has been granted bail.

5. The Learned counsel for the applicant states that one of the co-accused Abhishek Upadhyay, who is said to be the Branch Head of the Company's Branch Office, has been granted bail by this Court by means of an order dated 29.05.2023 passed in Criminal Misc. Bail Application No. 2446 of 2023. Another co-accused Dinesh Kumar Yadav, who is alleged to be an employee of the company, has also been granted bail by means of an order dated 17.07.2023 passed in Criminal Misc. Bail Application No. 8928 of 2023.Co-accused Pramod Kumar @ Pramod Kumar Verma has also been enlarged on bail by this

Court by means of order dated 25.07.2023 passed in Criminal Misc. Bail Application No.9325 of 2023. The co-accused Ajeet Kumar, who used to work as an agent in the Cooperative Society has also been enlarged on bail by this court by means of an order dated 02.08.2023, passed in Criminal Misc. Bail Application No.9728 of 2023.

6. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant has been implicated in the present case because the wife of the applicant is one of the Directors in the company and that the five co-accused persons who are said to be working in the company, have already been granted bail, whereas the applicant is in jail since 06.08.2022, I am of the view that the applicant is also entitled to be released on bail.

7. Accordingly, this bail application stands ***allowed***.

8. Let the **applicant-Om Prakash Verma** be released on bail in the aforesaid Case Crime No. 731 of 2022, under sections 420,409,504,506, I.P.C., P.S. Kotwali Nagar, District Barabanki, on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to following conditions:-

(i) the applicant shall not tamper with the prosecution evidence;

(ii) the applicant shall not pressurize the prosecution witnesses;

(iii) the applicant shall appear on each and every date fixed by the trial court.

.

(Subhash Vidyarthi, J.)

Order Date :- 8.11.2023
Ram.

Digitally signed by :-
RAM SINGH
High Court of Judicature at Allahabad,
Lucknow Bench